
**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on February 10, 2009 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.


K. Jeffrey de Hart

Application Number : 10/723,817 Confirmation No. 8001
Filing Date : November 25, 2003
Inventor(s) : Sadinsky, Steven E.
Title : TENSIONED PROTECTIVE FENCE WITH GATE AND METHOD
OF INSTALLATION THEREOF

Group Art Unit : 3679
Examiner Name : Michael P. Ferguson
Docket No. : 50833/G316 Date: February 10, 2009

MAIL TO: Mail Stop RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:

- a. X Pending (no review proceedings active)
- (1) X An Action was mailed by the Office on November 10, 2008, as to which no appeal under 37 CFR § 1.191 has been filed and
- X a response under 37 CFR § 1.116 was electronically filed on January 8, 2009
- via Express Mail
- X with certificate of electronic filing under 37 CFR § 1.8
- X that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- an appeal or civil action under 35 U.S.C. 141,145 or 146 has been terminated
- (2) Allowed: the Notice of Allowance was mailed by the Office on
- the Issue Fee has not been paid
- the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on

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- b. ☐ Pending (with review proceeding active)
An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**
2. SUBMISSION(S) REQUIRED (check at least one)
- a. Previously submitted
- ☒ Consider the amendments/reply under 37 CFR § 1.116 previously filed on January 8, 2009
- ☐ Consider the arguments in the Appeal or Reply Brief previously filed on _____
- ☐ Other: _____
- b. Enclosed
- ☐ Amendment/Reply
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement
- ☐ Documents under 37 CFR § 1.48
- ☐ Petition for Extension of Time
- ☐ Other: _____

Please direct all correspondence to **CUSTOMER NUMBER 23363**. Direct telephone calls to 626/795-9900, **CHRISTIE, PARKER & HALE, LLP**, P.O. Box 7068, Pasadena, CA 91109-7068.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Oliver S. Bajracharya
Reg. No. 55,905
626/795-9900

OSB/kjd

**REQUEST FOR CONTINUED EXAMINATION (RCE)
FEE CALCULATION SHEET**

Application No. 10/723,817

PART I — BASIC FEE			
BASIC FEE	Small Entity \$405.00	Large Entity \$810.00	\$405.00

PART II — ADDITIONAL CLAIMS (compared to application before RCE)						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	22	*23	0	x \$26.00	x \$52.00	0
Independent Claims	4	**5	0	x \$110.00	x \$220.00	0
First Presentation of Multiple Dependent Claim				\$195.00	\$390.00	0
TOTAL CLAIMS FEE						\$0
List Independent Claims: 1, 10, 14 and 18						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE.						
** IF THE HIGHEST NUMBER PREVIOUSLY PAID FOR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES *(The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)*
- a. X Deduct from Deposit Account No. 03-1728 the basic fee of \$405.00.
- b. X The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

KJD PAS836044.1-•-02/10/09 2:40 PM